

REMARKS

Claims 1-9 and 11-13 are pending in this application. By this Amendment, claim 1 and Figs. 6B and 6C are amended, and claim 12 is canceled. Support for the amendments to claim 1 may be found at least at paragraphs [0006] and [0008] of the specification. Support for the amendments to Figs. 6B and 6C may be found at least at paragraphs [0046] and [0048] of the specification of the published application. No new matter is added by the above amendment. In view of at least the following, reconsideration and allowance are respectfully requested.

I. Allowable Subject Matter

Applicant thanks the Examiner for the indication that claims 6 and 13 are allowed.

II. Drawing Objection

The Office Action objects to the drawings under 37 CFR 1.83(a) as not showing all of the claimed features. This objection is respectfully traversed.

Specifically, the Office Action asserts that the "extension portions" presently recited in at least independent claims 1 and 6 is not illustrated in any of the figures. To this end, Figs. 6B and 6C are amended to incorporate a reference number identifying the "extension portions." In this regard, the extension portions are identified with the reference number 135.

Accordingly, withdrawal of the objection is respectfully requested.

III. Specification Amendment

By this Amendment, the specification is amended to incorporate the reference number associated with the extension portions identified in Fig. 6. Specifically, paragraphs [0046] and [0047] of the published application are amended to identify the extension portions with reference to Figs. 6A to 6C.

Accordingly, Applicant respectfully requests that the specification amendments be entered.

IV. Claim Rejection under 35 U.S.C. § 102

The Office Action rejects claims 1-5, 7-9 and 11-12 under 35 U.S.C. § 102(b) over U.S. Patent No. 5,706,984 (Tada). This rejection is respectfully traversed.

By this Amendment, claim 12 is cancelled. Thus, the rejection as to claim 12 is moot.

It is well settled that a claim is anticipated only if each and every element set forth in the claim is found, either expressly or inherently described, in a single prior art reference. See MPEP § 2131. Despite the Office Action's assertions, Tada does not teach each and every feature presently recited in claim 1.

Independent claim 1 recites that the extension portions and the beam are a single continuous part. As discussed in paragraph [0006] of the specification, the extension portions and the beam being a single continuous part improves the workability of assembling, reduces the cost, and secures easiness of disposal by decreasing the number of parts constituting a trigger type fluid dispenser.

Conversely, pursuant to the Office Action's interpretation of Tada (*see* October 25, 2007 Office Action, page 5, paragraph 3), Fig. 12 of Tada illustrates the beam 20-2, as identified by the Office Action, and the extension portions being distinct parts, wherein the extension portion is fitted within the opening created by the beam 20-2. Consequently, the teachings of Tada provide for a device wherein the extension and beam may become misaligned - a problem that is solved by the extension portions and the beam being a single continuous part. For example, it appears that because the support part and the extensions are distinct parts, there exists a possibility that the support part can become misaligned with the trigger when the extension portions fall out of the support part 20-2 of Fig. 12 of Tada. This misalignment may occur if the trigger 20 is extended away from the extension portions.

In view of the above discussion, Tada fails to teach, disclose or suggest the above-quoted features recited in claim 1. Thus, Tada fails to disclose each and every element recited in claim 1.

Claims 2-5, 7-9 and 11 variously depend from claim 1. Because Tada fails to teach, disclose or suggest the features recited in independent claim 1, dependent claims 2-5, 7-9 and 11 are patentable for at least the reasons that claim 1 is patentable, as well as for the additional features they recite.

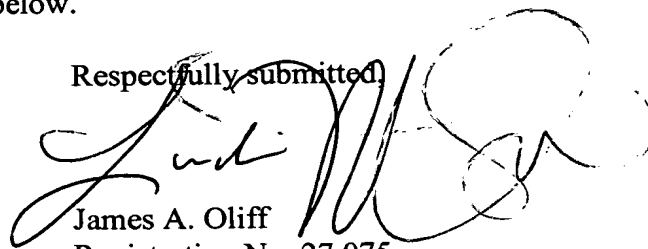
Accordingly, withdrawal of the rejections is respectfully requested.

V. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted



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JAO:DQS/ccs

Attachments:

Request for Continued Examination (RCE)
Replacement Sheet

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